IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 36817 of 2004(G)

PETITIONER:

AJITHA KUMARI,
POOVARETHU HOUSE, CHERUKOL P.O., MAVELIKKARA.

BY ADV. SRI.D.SOMASUNDARAM

RESPONDENTS:
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1. DIRECTOR OF DIARY DEVELOPMENT DEPARTMENT
THIRUVANANTHAPURAM.

2. DEPUTY DIRECTOR,
DIARY DEVELOPMENT DEPARTMENT, ALAPPUZHA.

3. CHERUKOL MILK PRODUCERS CO-OPERATIVE
SOCIETY LTD.NO.A. 232 (D) APCOS, CHERUKOLE,
MAVELIKKARA, REPRESENTED BY ITS SECRETARY.

4. DIARY EXTENSION OFFICER, MAVELIKKARA.

BY ADV. SRI. T.R. HARIKUMAR SC FOR R3
GOVERNMENT PLEADER SMT. K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 36817/2004 G

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER DTD. 8/5/02 BY THE R2.

EXT.P2. COPY OF THE RELEVANT PORTION OF THE CIRCULAR DT. 16/3/92.

EXT.P3. COPY OF THE CIRCULAR NO. H1/1692/99 DT. 22/3/01.

EXT.P4. COPY OF THE RELEVANT PORTION OF THE MINUTES BOOK.

EXT.P5. COPY OF THE ORDER NO. GO RT NO. 1669/04/AD DT. 27/10/2004.

RESPONDENT'S EXHIBITS **NIL**

True copy

tga

KURIAN JOSEPH, J.

W.P. (C). NO. 36817 OF 2004

Dated this the 18th day of July, 2007.

J U D G M E N T

Petitioner is aggrieved by Exhibit P5 order whereby the Government interfered with her appointment under the third respondent-Society on the ground that she is not qualified. The main ground taken in the writ petition is that the said finding of the Government is without any basis and at any rate the said order is passed without notice to the petitioner.

2. I quash Exhibit P5. There will be a direction to the Secretary to Government, Agriculture (Dairy) Department to consider the appeal filed by the third respondent-Society afresh with notice to the petitioner and third respondent and pass appropriate orders in accordance with law within a period of four months from the date of receipt of a copy of this judgment. Interim order passed by this Court on 07.01.2005 will continue till such time.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp